HIS HONOR THE JUDGE.

The case of the State vs. John Luff was the sensation of the day when I landed in Silvertown.

My visit to this rough mining town was a matter of business, and I was somewhat annoyed to find that the people were inclined to talk of nothing but the killing of Henry Saxon and the trial of his murderer.

But the story of the crime interested me in spite of myself. The murder had occurred in the Metropolitan Hotel, the very house in which I had engaged a room for a week.

The scene of the killing was the room next to mine. Several days before my arrival the room was occupied by John Luff and Henry Saxon, two well-known sporting men, who had been making Silvertown their headquarters during the winter. The two men were chums, but sometimes they quarreled in their cups, and it was no uncommon thing for them to fight. After adjusting their differences, however, they generally tumbled into the same bed and slept like brothers. Their last quarrel had a fatal termination. After a bout with their fists in the hotel office they retired to their room. Later in the night a loud shout caused several of the guests to rush in, and they saw a spectacle that froze their blood. On the bed was stretched the lifeless form of Saxon, with a crimson current gushing from his breast. By his side stood Luff, one hand still bloody, and his manner betraying ungovernable fear and excitement.

The Silverton miners and tradesmen were not long in coming to a conclusion. The coroner's jury made it out a case of willful murder, and fastened the guilt upon Luff. It was in vain that Luff expressed his horror. He declared that some one had entered the room. Awakened by a noise, he placed his hand on Saxon and felt the warm blood flowing from the wound. Springing to his feet he turned on the light, and when he saw his friend he gave a frenzied cry for help.

Of course, nobody believed this story. To make the matter worse, a small dagger belonging to Luff was missing from its usual place on the mantel. It was only too evident that the murderer had stabbed his friend to the heart with this weapon, and had then concealed it. The room was searched, but the dagger could not be found. Doubtless Luff had thrown it into the street, where it had been picked up by some unknown person.

There is little delay about frontier justice when a victim is wanted, and in this instance the whole town clamored for one. Court was in session, and Judge Pike shared the general excitement. He was one of the guests at the Metropolitan, and the fact that his room was opposite the one in which the murder was committed naturally increased his interest in the case.

With Judge Pike on the bench there was little doubt concerning the result. An indictment was found in no time, and the trial opened on the second day of my stay in Silverton.

The defendant's attorney worked for a delay. They hoped that a protracted trial would have the effect of cooling the hot excitement of the hour.

I spent the first day of the trial in the Court House, and watched the defendant closely. Luff had a rather good face. It was weak, but not vicious, and, as I studied him, I found myself sympathizing with him.

That night I had a singular experience. After supper I spent a couple of hours in Judge Pike's room, and it did not take me long to come to the conclusion that his honor was a very peculiar man. There was something wrong about him. He could not be called a crank, but his nerves were evidently out of order, and it occurred to me that he was liable to break down at any time.

It was past midnight when I awoke. The moonlight streamed into my room, making every object in it plainly visible. Feeling thirsty, I left my bed and went behind a little screen in one corner of the room where the washstand stood to get a drink of water. While I was there I heard the door open softly. This was not surprising, as the hotel was a rude affair, and very few of the doors provided with locks and keys. The thought of Saxon's fate made me a little timid, and I remained quietly behind the screen, awaiting further developments.

To my unutterable astonishment, who should enter the door but Judge Pike.

My first impulse was to speak, but what I saw silenced me. The Judge was in his night clothes. One look at his face convinced me that he was asleep. In his right hand he carried a dagger.

What was I to do with this somnambulist? It would be dangerous to awaken him. I decided to wait and watch.

With stealthy steps the Judge advanced to the side of the bed. He felt cautiously with his left hand until he felt a bunch in the covering, and then, with the rapidity of lightning, he drove his dagger into the bedclothes up to the hilt. He did not tarry a second, but quietly vanished from the room, closing the door after him.

As soon as I could I barricaded the door with several pieces of furniture. Then I sat down to think the matter over.

If the Judge was a somnambulist, there was no telling what he might do. Worse than that there was no telling what he had already done.

I thought of the Luff case. Could it be possible that Judge Pike, in one of his sleep-walking fits, had killed Saxon? It looked very much like it. And the dagger? Perhaps it was Luff's missing weapon.

"I will make this thing public," I said to myself, and I proceeded to dress.

But I soon changed my mind. My unsupported testimony would not be regarded. Judge Pike was a grave, dignified man, past middle age, and he was greatly respected by the miners. It would be folly on my part to tell anyone of my adventure.

The second day of the trial developed a strong case against Luff; as strong a case as circumstantial evidence could make it. In the meantime I perfected a plan, which I hoped would lead to surprising results.

My roommate that night was Dr. Hinton, one of the oldest and wealthiest physicians of the place. The Doctor was a popular man. He had been mayor of Silverton, and he was moreover, a lifelong friend of Judge Pike. I could not have selected a better man for my purpose.

Again the moon flooded the room with light as on the previous night. I arranged the bedclothes in the shape of a human figure, and stationed myself behind the screen with Dr. Hinton.

Twelve o'clock came, and one, but we remained undisturbed.

"He is not coming," whispered the Doctor.

"Perhaps not," I answered, "but I feel in duty bound to watch."

"Very well," yawned the Doctor, "I am with you, but we did not go to work in the right way."

"What would have been your plan?" I asked.

"Why, simply this. We should have concealed ourselves in the corridor and watched his door. When he came out we could have followed him at a little distance. As it is, he may visit another room, and in that event our time will be lost."

"It is all very well to suggest that now," I answered, "but there are objections to your plan. The guests who found us prowling about the corridor would demand an explanation, and we would have found it necessary to take too many into our secret. Now, it seems reasonable to suppose that the force of habit will draw the Judge to the same place. His room is next to the one in which the murder occurred, and if my theory is correct your friend was making for that room last night. Finding it securely fastened—you know it has been nailed up since the inquest—he tried the next door, which was mine. If he walks at all to-night I believe he will go over the same track."

"There is something in that," said my companion; "but I hope that he will not come. Think of the effect upon his mind if our suspicions should turn out to be the truth."

"Hush," I whispered.

The door creaked a little, and a white-robed figure gently glided in.

"It is the Judge," said the Doctor, under his breath.

And it was the Judge. It was plainly evident even in the moonlight that he was asleep, but his features were twitching convulsively. In his right hand he carried the dagger.

Swiftly, and yet without making the slightest noise, the sleep-walker approached the bed, and, stretching forth one hand, commenced cautiously feeling. When his hand rested upon the sham figure he delivered the same rapid thrust with the dagger that I had witnessed the night before, and fled from the room.

Dr. Hinton was a cool man when there was work to do. He signaled to me, and we ran after the Judge, following him into his room.

Judge Pike closed his door and faced us. For a moment I thought that he was awake, but I soon saw that he was unconscious. He went to his trunk, and, lifting its contents carefully, placed the dagger at the bottom. Then he threw himself into an arm-chair.

"I hate to do it," said Dr. Hinton, "but it must be done."

He advanced to the chair and shook the sleeping man.

"How dare you!" he exclaimed. "What does this mean? Why, gentlemen, this is strange. How is it that you are in my room?"

He looked down at his costume, and buried his face in his hands.

"Have I been ill?" he asked.

"My friend," said the Doctor, "I am about to bring a great sorrow upon you, but I know you are brave enough to bear the truth. What I have to say does not reflect upon your character, and it is necessary that you should known it."

"Speak!" huskily commanded the Judge.

"May I open your trunk a moment?" asked the Doctor.

"Certainly," was the reply; "make yourself at home."

The Doctor drew from the bottom of the trunk the dagger.

"How did that get there?" was the Judge's stern question. "I have no weapons. I never saw that before."

The Doctor held the dagger up. On its handle was engraved the name of John Luff.

"This calls for an explanation, sir," said Judge Pike, with an angry look.

"Tell him," said the Doctor, turning to me.

It was the hardest task of my life, but in some fashion I managed to tell the story. In the middle of it the Doctor came to my rescue, and, with his arm around his friend's neck, he told him all the events of the night.

The Judge's face assumed a ghastly pallor, and several times I expected to see him faint. He took the dagger in his hand and looked at the name.

"I understand it all," he groaned.

He threw the dagger on the floor.

"Gentlemen," said he, sadly, "leave me now. Let me sleep, if I can. In the morning my nerves will be stronger, and we will then consult together to see how to do justice to Luff without doing injustice to me. The whole truth must come out."

We left the room and returned to mine.

"What will be the end of it?" I asked the Doctor.

"Impossible to say," he replied. "Pike is a religious man. He will not commit suicide or do anything rash.

We were at the breakfast table when the landlord rushed in and said to the Doctor:

"Come, quick! Judge Pike is dead or dying!"

We hurried to the Judge's room, but it was too late. The wretched man was dead.

To our great joy it was not a case of suicide. Dr. Hinton made a thorough investigation, and satisfied himself that his friend had died of heart disease.

Perhaps it was better so. When the Doctor and I made our statement to the prosecuting attorneys no one questioned it. There was great surprise, but the indictment was readily "nolled," as the miners call it, and Luff was set at liberty.

"It was a close shave," he said, when he set up the drinks that night, "and this climate doesn't suit my health. I am going to skip."

Silverton was not sorry to see him go. If he was not to be hanged there was no way in which he could be utilized, and the miners counted his room better than his company.—Atlanta *Constitution*.